

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SPECIAL CLOSED SESSION DOCKET
FOR
MONDAY, JUNE 28, 2004
AT 2:00 P.M.
COMMITTEE ROOM – 12TH FLOOR**

NOTE: In accordance with the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings, adopted on March 29, 2004, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. Please see the Open Session Agenda to determine when such matters may be heard.

Due to the anticipated length of the regular City Council meeting for June 28 and 29, 2004, the Mayor is calling a Special Closed Session meeting for Monday, June 28, 2004, in the Committee Room on the 12th Floor of the City Administration Building, 202 C Street, San Diego, California. **The Special Closed session will commence immediately following the conclusion of the regular open session meeting that day.**

Pursuant to the new temporary Council Rule on closed sessions, the public will have the opportunity to comment on these matters during the regular open session of the City Council on June 28, 2004. The open session agenda for that day will reflect the appropriate open session item for public comment. **The closed session called pursuant to this memorandum may continue into Tuesday, June 29, 2004.**

The agenda for the Special Closed Session is the following:

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 ***Chargers Football Company, LLC v. City of San Diego***
Los Angeles Superior Court Case No. BC 306758

ACA assigned: Les Girard

This matter concerns the litigation filed by the San Diego Chargers [Chargers] against the City of San Diego [City], and the City's related cross complaint against the Chargers, over the validity of the "trigger" notice delivered to the City by the Chargers in March of 2003 pursuant to the 1995 agreement for the use of Qualcomm Stadium [1995 Agreement]. In closed session, the City's outside litigation counsel and the City Attorney will report on the status of the litigation and the status of any additional discussions with the Chargers concerning the term sheet authorized by the

City Council on April 26, 2004, to be conveyed to the Chargers. The City Council may give further direction to its attorneys and consultants with regard to the matter.

Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

CS-2 Agency negotiators: Lamont Ewell, Cathy Lexin, Mike McGhee,
 Christopher Morris

 Employee organizations: Municipal Employees Association, Local 127
 AFSCME, AFL-CIO, Local 145 International Association of
 Firefighters AFL-CIO, San Diego Police Officers Association

HDCA assigned: Chris Morris

In closed session, the City Manager and the City's negotiators will review with the City Council the City's position with respect to the salary and fringe benefits of the represented employees, and request instructions from the City Council as to those matters.

Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

CS-3 Property: Qualcomm Stadium

 City Negotiator: Assistant City Attorney Leslie J. Girard, Deputy
 City Manager Bruce Herring, Paul Jacobs, Esq., and
 Daniel S. Barrett

 Negotiating Parties: City of San Diego and the San Diego Chargers

 Under Negotiation: Real Property Interests at the Qualcomm Stadium Site pursuant
 to the recommendations of the Citizens' Task Force on Chargers
 Issues, and pursuant to the terms of Paragraph 31 of the 1995
 Agreement for the Partial Use and Occupancy of Qualcomm
 Stadium.

ACA assigned: Les Girard

This matter involves negotiations authorized by the City Council in March of 2003 between the City of San Diego [City] and San Diego Chargers [Chargers] regarding the Qualcomm Stadium site, pursuant to both the recommendations of the Citizens' Task Force on Chargers Issues and the "Trigger Notice" sent to the City by the Chargers in March of 2003.

In closed session, the City's negotiating team will report to the City Council on the status of any discussion with the Chargers concerning the term sheet authorized by the City Council on April 26, 2004, to be conveyed to the Chargers.

Please see the description on the closed session agenda under "pending litigation" — Chargers Football Company, LLC v. City of San Diego for a description of a related matter.